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**REMARKS****STATUS OF THE CLAIMS**

Claims 1-21 have been pending in the application.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Japanese Patent WO00/36477.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent JP402253303.

According to the foregoing, the claims are amended, claims 1 and 11 are cancelled without prejudice or disclaimer, and, thus the pending claims 2-10 and 12-21 remain pending for reconsideration, which is respectfully requested. No new matter has been added. The rejections are traversed.

**IN THE ABSTRACT**

The Office Action page 2, item 2 objects to the Abstract for being more than 150 words. According to the foregoing, the Abstract is amended. Withdrawal of the Abstract objection is respectfully requested.

**PRIOR ART**

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Japanese Patent WO00/36477 (Yosuke SENTA).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent JP402253303.

Applicants note that SENTA is assigned to Fujitsu Limited assignee of the present application.

WO 00/36477 is not be a proper prior art under 102(e) by not meeting 102(e)(1) (a US patent application ...) or 102(e)(2) (a patent granted on an application ...). There is not a US patent application claiming priority from PCT/JP/98/05685, which corresponds to the international publication WO 00/36477.

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WO 00/36477 is also not a 102(a) reference, because the earliest effective date of the present application is February 22, 2000, which is before June 22, 2000 as the earliest effective publication date of WO 00/36477. An original verified English translation of the foreign priority application (Japanese Patent Application No. 2000-034642, February 14, 2000) of the present above identified pending US patent Application is concurrently submitted to the USPTO under 37 CFR 1.55 in the Letter to the Examiner for Submission of Verified English Translation of the Certified Copy of Prior Foreign Application to perfect the foreign priority filing date for overcoming the effective date of WO 00/36477. Therefore, foreign priority filing date of the above identified present US patent application is perfected; thereby overcoming the effective filing date of WO 00/36477 relied upon by the Examiner to reject the claims.

#### ENGLISH TRANSLATIONS

The Office Action page 3, item 6 provides that "any indication of allowability is being withheld pending the receipt of the complete translation of the Japanese documents mentioned within section 1 of this office action and any future amendments of the claims." The Examiner relies upon Japanese documents WO 00/36477 and JP402253303 and appears to request English translations of the same. According to the Interview Summary of April 21, 2006, the Examiner has acknowledged that the Office has received the English translation of Japanese patent WO 00/36477 in the IDS of January 3, 2001 and April 16, 2006. Accordingly consideration of the same regarding the dependent claims is respectfully requested.

Applicants note that if a next Office Action is issued, finality of the same would be premature, because Applicants and the Office have not reached a finality on the issues, since the Office had English translation of Japanese patent WO 00/36477, but same was not considered with respect to the claims, including the dependent claims. And according to the foregoing, dependent claim 3 is amended into independent form to place the application in condition for allowance.

Further, an English translation of Japanese Patent Application NO. HEI 02-253303 which is cited in the present Office Action is concurrently submitted to the USPTO in an Information Disclosure Statement, consideration of which is respectfully requested.

In addition, the Japanese Patent Office mailed a Notice of Reasons for Rejection on June 6, 2006 in relation to Japanese Patent Application No.2000-034642 whose priority has

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been claimed in the present application, and same is also concurrently submitted to the USPTO in an IDS, consideration of which is respectfully requested. The Japanese Office Action also cites WO 00/36477.

## REJECTIONS

The independent claims are 1, 11, and 21.

The anticipatory rejections over both WO 00/36477 and Japanese Patent Application no. HEI 02-253303 are hereby traversed:

Based upon the WO 00/36477 English translation, WO 00/36477 discusses a three-dimensional mechanism model simulator that operates a three-dimensional mechanism model. A control program is provided for controlling the operation of the three dimensional mechanism model. The execution of the control program is synchronized with the three dimensional mechanism model when executed in the simulator (WO 00/36477 English Translation, page 1, claim 1, page 28, paragraphs 79-80 and FIG. 3). Therefore, WO 00/36477 discusses a synchronization program 312 (WO 00/36477 English Translation, FIG. 3, paragraphs 79-80) added to the control program to execute the control program, which controls the three dimensional mechanism model, in synchronization with the three-dimensional mechanism model operated in the simulator.

In other words, in WO 00/36477 the three-dimensional mechanism model in the simulator is operated under the control of the control program to confirm the operation of the control program for purposes of synchronizing the control program with actual mechanism operating speed (WO 00/36477 English Translation, page 5, paragraphs 7-8). WO 00/36477 English Translation, page 34, paragraph 98 discusses an actuator signal transmitted from the control program to the 3D model simulator and transmitting a sensor signal indicating the on/off state of a sensor from the 3D model simulator to the control program.

According to the foregoing, dependent claim 3 is amended into independent form with independent claim 1 cancelled. Other independent claims 11 and 21 are amended to require the same patentably distinguishing features of new independent claim 3. Thus, WO 00/36477 cannot anticipate the claimed present invention, because WO 00/36477 fails to disclose, either expressly or inherently (necessarily) each and every element of the claimed present invention, including "said ***embedded software developing section includes*** a status-transition diagram

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or table creating section for **creating and editing a status-transition diagram or table describing specifications of the embedded software to execute detailed designing of the embedded software**; and said second interface section **transfers data between said three-dimensional-mechanism model simulating section and said status-transition diagram or table creating section while synchronizing said three-dimensional-mechanism model simulating section and said status-transition diagram or table creating section** in operation with each other." In other words, WO 00//36477 does not disclose the claimed present invention's "**embedded software developing section ... creating and editing a status-transition diagram or table describing specifications of the embedded software to execute detailed designing of the embedded software**" based upon data transferred to/from the three-dimensional-mechanism model simulator. The claimed present invention provides a new effect "**to execute detailed designing of the embedded software**" according to the "**status-transition diagram or table describing specifications of the embedded software.**" For example, the present application page 55 supports the claims.

JP-02-253303 English Abstract discusses a compensation signal production device 7 that uses a sensor 6 to identify a dynamic characteristic model for an action mechanism including an arm 4. Then, the device 7 produces a compensation signal to change the target value input to the controller so the arm 4 works as instructed by the target value. Then a target value changing device 8 changes the target value. Therefore, JP-02-253303 relates to tuning control of an actual mechanism based upon actual sensors on the mechanism, but JP-02-253303 does not relate to developing a mechanism control program. JP-02-253303 cannot anticipate the claimed present invention, because JP-02-253303 fails to disclose, either expressly or inherently (necessarily) the claimed present invention's "**an embedded software developing section for *developing a control program, which is to be embedded in the mechanism to control the operation of the mechanism*, as embedded software; ... a second interface section *transferring actuator instruction data and sensor data between said three-dimensional-mechanism model simulating section and said embedded software developing section while synchronizing* said three-dimensional-mechanism model simulating section and said embedded software developing section in operation with each other.**"

Dependent claims recite patentably distinguishing features of their own, or are at least patentably distinguishing due to their dependencies from the independent claims.

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In view of the claim amendments and remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

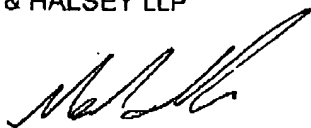
**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
STAAS & HALSEY LLP

Date: August 28, 2006

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I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,

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on August 28, 2006

STAAS & HALSEY

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Date: August 28, 2006